

## ARREARS OF PENSIONS IN CERTAIN CASES.

JANUARY 24, 1885.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. JOHN H. ROGERS, from the Committee on Pensions, Bounty, and Back Pay, submitted the following

### REPORT:

[To accompany bill H. R. 2802.]

The Committee on Pensions, Bounty, and Back Pay, to whom was referred the bill (H. R. 2802) to allow arrears of pension to certain invalid pensioners whose names were dropped from the pension-roll, and by act of Congress subsequently were restored, having had the same under consideration, beg leave to report the same back, and recommend the passage of the bill.

The committee adopt for its report so much of the report of said committee at the first session of the Forty-seventh Congress as explains the bill, as follows, to wit:

"In considering, your committee had occasion through its members to address communications to the Commissioner of Pensions, to which they received the response of the Commissioner of Pensions, the first of date 27th February, 1882, and the second of date May 1, 1882, and which are appended hereto, and the committee ask that they may be printed as a part of this report.

"It will be seen from an examination of the bill and these responses of the Commissioner that the object of the bill is to give arrears of pension to those who were borne on the invalid-pension roll, and whose names were dropped from such roll and subsequently restored for the time their names were so dropped. It is a matter of current history that, during the recent civil war, a number of persons whose names were thus borne upon the roll resided in the States in rebellion, and from the very necessity of things their names were dropped. Subsequently, for good cause, indeed, in the great majority of cases, this cause being their continued and unquestioned loyalty to the Government, their names were restored, and they have been for some years drawing pensions. It would seem hard, and indeed it is unjust, as it appears to your committee, that these parties, innocent of personal offense, should, by reason of the conduct of others, be deprived of that to which, under the law, they were justly entitled, and when the Government has readmitted them to the rolls. The language of the Commissioner, as it seems to your committee, that 'it would logically prove that he should not have been dropped from them,' is just.

"Your committee being aware of the fact that during the existence of the authority of the so-called Confederate Government it conscribed the services of all within and under the influence of that party to perform

certain civil and military duties, and that nothing may be done repugnant to any sense of loyal right to the Government, they have deemed it prudent and proper to attach the amendment recommended so that the same may be incorporated into the bill. And that the House may see the probable expense involved, a reference is asked to the statement made by the Commissioner of Pensions, under date of May 1, 1882.

"Respectfully submitted."

DEPARTMENT OF THE INTERIOR, PENSION OFFICE,  
Washington, D. C., February 27, 1882.

DEAR SIR: I return your House bill —. The provisions of this bill extend principally to those pensioners of the Mexican war, and former wars, who, on account of the rebellion (and in some cases their participation in it), were dropped from the rolls, but who subsequently, after proof of loyalty or by operation of law, were again admitted to the roll. The intention of the bill is, in my opinion, to give pensions to this class for that time. It would also apply to pensioners of the late war dropped for cause who were afterwards restored to the rolls upon a fuller investigation, but for that purpose such a law would be unnecessary, as restoration to date of dropping is now authorized. I am inclined to think that the law would be just, inasmuch as if a claimant proved his loyalty, so as to readmit him to the rolls, it would logically prove that he should not have been dropped from them.

Very respectfully,

W. W. DUDLEY,  
Commissioner.

Hon. C. H. JOYCE,  
Chairman Select Committee on Pensions, House of Representatives.

DEPARTMENT OF THE INTERIOR, PENSION OFFICE,  
Washington, D. C., May 1, 1882.

SIR: In reply to your inquiry relative to House bill —, introduced by you relative to the modification of the provisions of section 4716, Revised Statutes, in certain cases, I have the honor to state—

First. The whole number of pensioners, whose names were dropped from the rolls, exclusive of Revolutionary pensioners, who voluntarily engaged in, aided, or abetted the late rebellion against the authority of the United States, was 1,441.

It is estimated that quite 1,000 were Mexican war pensioners, and the balance the war of 1812 and the several Indian wars.

Second. Sections 5 and 6 of the act of March 9, 1878, provided for the restoration of pensions to all except those of the Mexican war, the pension allowed to commence from the date of the act, March 9, 1878. It is not believed that more than 200 names were then restored, and this number would have since very materially diminished, owing to the advanced ages of such pensioners.

Third. Of the 1,000 Mexican war pensioners whose names were dropped, there would have deceased fully 50 per cent, leaving but 500 of this class now surviving.

The proportion of widows of those who have deceased on account of the disability for which pensioned would be very small, while a considerable number of the soldiers have, upon proof of loyalty, established their right to a continuance of pension, so that I cannot believe more than three hundred such pensioners, if as many, are now deprived of their pensions by the operation of section 4716 of the Revised Statutes.

Fourth. If only those who now survive should receive the benefits of new legislation, and be paid for the period they have been deprived of this pension, the estimated cost would be approximately as follows:

One hundred pensioners restored under act of March 9, 1878, with arrears from 1861 to 1878.....	\$163, 200
Three hundred Mexican war pensioners with arrears from 1861 to 1882.....	604, 800

I am, sir, very respectfully,

W. W. DUDLEY,  
Commissioner of Pensions.

Hon. W. C. WHITTHORNE,  
House of Representatives.